

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

KEVIN BUSSEY,

Plaintiff,

— against —

WILLIAM PHILLIPS et al.,

Defendants.

USDS SDNY

DOCUMENT

CHRONICALLY FILED

FILED  
MAR 24 2009  
3-24-09

04 Civ. 6679 (VM)

ORDER

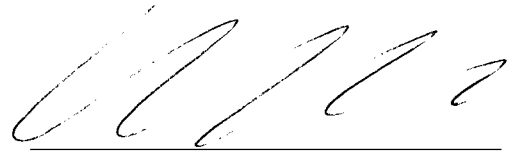
**VICTOR MARRERO, United States District Judge.**

The trial in this matter has been scheduled for April 13, 2009. In the Court's Decision and Order dated March 10, 2006, the Court permitted the equal protection claim of plaintiff Kevin Bussey ("Bussey") to survive summary judgment, and allowed limited discovery in furtherance of that claim. The Court has recently learned that this discovery was never completed, and that the parties are only now engaging in the contemplated discovery.

The trial that was scheduled to begin on April 13, 2009 is hereby adjourned. Magistrate Judge James C. Francis will continue to oversee the discovery process. Upon the conclusion of the discovery permitted by Magistrate Judge Francis, which shall not extend beyond the date to be set by Judge Francis, the parties may file any motions for summary judgment as may be appropriate in accordance with the Court's individual practices, or the Court may set a new trial date.

**SO ORDERED.**

Dated: New York, New York  
24 March 2009

A handwritten signature in black ink, consisting of several loops and a final flourish, positioned above a horizontal line.

Victor Marrero  
U.S.D.J.